

AMMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 29 2005

Returned to applicant for correction _____

Corrected application filed SEP 01 2005

Map filed SEP 01 2005

The applicant **Steven Charles Kennedy and Mary-Ellen Kennedy, Trustees of The Kennedy Family Trust**, dated June 14, 2000 hereby make application for permission to change the **Point of Diversion of a portion** of water heretofore appropriated under **Permit 58374 (partially supplemental to Permit 58375)**

1. The source of water is **underground**
2. The amount of water to be changed **0.0088 c.f.s.; 6.394 A.F.A.**
3. The water to be used for **irrigation and domestic**
4. The water heretofore permitted for **irrigation and domestic**
5. The water is to be diverted at the following point **SE¼ SE¼ Section 22, T.16N., R.19E., M.D.M., or at a point from which the southeast corner of said section 22 bears South 01° 09' East, a distance of 800 feet.**
6. The existing permitted point of diversion is located within **SE¼ SE¼ Section 22, T.16N., R.19E., M.D.M., or at a point from which the southeast corner of said section 22 bears South 15° 47' 20" East, a distance of 1,143.77 feet.**
7. Proposed place of use within a **5-acre parcel in the SE¼ SE¼ Section 22, T.16N., R.19E., M.D.M. (within A.P.N. 055-200-25)**
8. Existing place of use **no change**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **well, pump and motor, meter, and distribution system to a house, and sprinkler and drip irrigation system.**
12. Estimated cost of works **\$20,000.00**
13. Estimated time required to construct works **completed – well redrilled in 2002**
14. Estimated time required to complete the application of water to beneficial use **completed**

73191

15. Remarks: The re-drill of this well in 2002 resulted in its relocation to a point more than 300 feet from the permitted well site. In the field review for beneficial use on behalf of the new owners, the discrepancy was discovered and this Application to Change is filed to correct the Point of Diversion.

By **Bruce R. Scott, Resource Concepts, Inc.**
s/ Bruce R. Scott
340 North Minnesota Street
Carson City, Nevada 89703

Compared bk/sam lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 58374 is issued subject to the terms and conditions imposed in said Permit 58374 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73191 and 73192 shall not exceed 7.02 acre-feet annually for the irrigation of 1.755 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0088 cubic feet per second, but not to exceed 6.394 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 11, 2007

Proof of completion of work shall be filed on or before:

August 11, 2007

Water must be placed to beneficial use on or before:

July 11, 2008

Proof of the application of water to beneficial use shall be filed on or before:

August 11, 2008

Map in support of proof of beneficial use shall be filed on or before:

August 11, 2008

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 11th day of July, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____